



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHEE et al.

Serial No.: 09/344,526

Filed: June 24, 1999

For: Decoding of Array Sensors with

Microspheres

Examiner: MARSCHEL, Ardin H.

Group Art Unit: 1631

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stope RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on:

Dated: September 25, 2003

Signed: Man Deuserdam

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND STATEMENT OF RELATEDNESS

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SEP 3 0 2003
TECH CENTER 1600/2900

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying Form 1449. A copy of reference A129 is attached. Since copies of the other cited references were provided either by Applicants or by the Examiner in U.S. Application Serial No. 09/189,543 (filed 11/10/1998), of which the present application is a continuing application, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present

SF-1111923_1

document shall not be construed as an admission that a search has been made or that better art does not exist.

As required by M.P.E.P. §2001.06(b), Applicants note that the present application is related to the following patent applications:

Application Serial No.	Date Filed
08/944,850	October 6, 1997
09/287,573	April 6,1999
09/574,117	May 19, 2000
09/979,247	April 15, 2002
10/334,416	December 31, 2002

Pursuant to 37 C.F.R. §1.97(c), enclosed is the fee for filing the Supplemental Information Disclosure Statement as set forth in 37 C.F.R. §1.17(p). While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 469249-174 (A-66828-2/RMS/ DCF/KJC)).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated:

Customer Number: 32940

Customer Number: 32940 Dorsey & Whitney LLP

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David C. Foster, Reg. No. 44,685 for Robin M. Silva, Reg. No. 38,304

Filed under 37 C.F.R. § 1.34(a)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

A-66828-2/RMS/DCF/KJC

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO (Modified) 09/344,526 Application Number ENFORMATION DISCLOSURE STATEMENT BY APPLICANT June 24, 1999 Filing Date First Named Inventor Chee, M.S. 1631 Group Art Unit (use as many sheets as necessary) Examiner Name Marschel, A.H.

Attorney Docket Number

15

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear
	A1	3,712,535	01/1973	Genese, J.N., et al.	
·	A2	3,748,975	07/1973	Tarabocchia	
-	А3	4,125,314	11/1978	Haskell et al.	
	A4	4,224,198	09/1980	Rembaum et al.	
	A5	4,448,485	05/1984	Bergman et al.	OCN/ED
	A6	4,582,789	05/1986	Sheldon, III et al.	RECEIVED
	A7	4,687,732	08/1987	Ward et al.	RECEIVED SEP 8 0 2003
	A8	4,729,949	03/1988	Weinreb et al.	TECH CENTER 1800/2900
	A9	4,772,540	09/1988	Deutsch et al.	TECH CENTER TOUR
	A10	4,842,783	06/1989	Blaylock	·
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	A12	4,876,187	10/1989	Duck et al.	
	A13	4,879,097	11/1989	Whitehead, T.P., et al.	
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	A17	5,015,843	05/1991	Seitz et al.	
	A18	5,019,350	05/1991	Rhum et al.	·
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 	A20	5,061,336	10/1991	Soane	
	A21	5,071,531	12/1991	Soane	
	A22	5,110,745	05/1992	Kricka et al.	
	A23	5,126,022	06/1992	Soane et al.	

Examiner	Date
Signature	Considered

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

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Substitute for form 1449A/PTO			VPTO		Complete if Known		
	(Modified)			Application Number	09/344,526		
	ON PANFORMATION DISCLOSURE			Filing Date	June 24, 1999		
S	STATEMENT BY APPLICANT		First Named Inventor	Chee, M.S.			
P 2 9 203	33 ⁽²⁾			Group Art Unit	1631		
(duse as many sheets as necessary)		Examiner Name	Marschel, A.H.				
Sheet	, 4 2	of	15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC		

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And the second			U.	S. PATENT DOCUMENTS	
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A24	5,135,627	08/1992	Soane	
11.5	A25	5,176,881	01/1993	Sepaniak et al.	
	A26	5,177,012	01/1993	Kim et al.	
	A27	5,185,178	02/1993	Kosenmaki	
	A28	5,185,243	02/1993	Ullman et al.	
	A29	5,272,081	12/1993	Weinreb et al.	
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	A31	5,304,487	04/1994	Wilding et al.	
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	A35	5,474,895	12/1995	Ishii et al.	RECEIVE SEP 3 0 20 TECH CENTER 10
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	A39	5,518,863	05/1996	Pawluczyk	
	A40	5,541,311	07/1996	Dahlberg et al.	
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	A42	5,554,516	09/1996	Kacian et al.	
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	A46	5,593,838	01/1997	Zanzucchi et al.	

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O 1 PINFORMATION DISCLOSURE	Filing Date	June 24, 1999	
STATEMENT BY APPLICANT	First Named Inventor	Chee, M.S.	
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(use as many sheets as necessary)	Examiner Name	Marschel, A.H.	
Sheet 3 of 15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC	

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1.00	A47	5,595,915	01/1997	Geysen		
	A48	5,603,351	02/1997	Cherukuri et al.		
	A49	5,610,287	03/1997	Nikiforov et al.		
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	A68	5,747,169	05/1998	Fan et al.		
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Examiner	Date
Signature	Considered

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	A70	5,750,015	05/1998	Soane et al.	
	A71	5,755,942	05/1998	Zanzucchi et al.	
	A72	5,770,029	06/1998	Nelson et al.	
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	A91	6,008,892	12/1999	Kain et al.	
	A92	6,037,186	03/2000	Stimpson	

Examiner Signature	Date Considered	• •

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				S. PATENT DOCUMENTS	
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A93	6,039,894	03/2000	Sanjurjo et al.	
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			<u> </u>	S. PATENT DOCUMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear
	A116	6,274,323 B1	08/2001	Bruchez et al.	
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	A139	20020177141	11/2002	Chee, M., and K. Gunderson			
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******	A141	20030003490	01/2003	Fan, J.B., and M.S. Chee			
	A142	20030016897	01/2003	Walt, D.R., and K.L. Michael			
	A143	20030027126	02/2003	Walt, D.R., and K.L. Michael			

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	B1	JP 01283412	09/1991	Brother Ind Ltd, et al.		
	B2	FR 2741357	05/1997	Corning Inc.		
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	В4	UK 2315130	01/1998	Cambridge Imaging Ltd.		
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	В6	EP 0539888	05/1993	Shimadzu Corporation		
	В7	EP 0572157	12/1993	Puritan-Bennett Corporation		
· ···	В8	EP 0799897	10/1997	Affymetrix, Inc.		
	В9	WO 92/09300	06/1992	Iterex Pharmaceuticals LTD		
	B10	WO 94/02515	02/1994	Bunsen Rush Laboratories		_
	B11	WO 94/12863	06/1994	Trustees of Tufts College	ENED):

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ **See a** that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO (Modified) Application Number 09/344,526 INFORMATION DISCLOSURE June 24, 1999 Filing Date **EMENT BY APPLICANT** First Named Inventor Chee, M.S. Group Art Unit 1631 e as many sheets as necessary) 2 9 2033 Examiner Name Marschel, A.H. A-66828-2/RMS/DCF/KJC 15 Attorney Docket Number Sheet

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Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (<i>if</i> <i>known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1
	B12	WO 95/16918	06/1995	Combichem Inc.		
	B13	WO 95/21271	08/1995	Molecuair Tool Inc.		
·	B14	WO 95/33070	12/1995	New York Medical College		
	B15	WO 96/04547	02/1996	Lockheed Martin Energy Systems, Inc.		
	B16	WO 96/11878	04/1996	Regents of the Univ. of CA	,	
	B17	WO 96/15271	05/1996	Abbott Laboratories		
	B18	WO 96/36436	11/1996	IRORI		
	B19	WO 96/40901	12/1996	Gen-Probe Inc.		
7	B20	WO 97/12030	04/1997	Nanogen, Inc.	·	
	B21	WO 97/13870	04/1997	Heller		
	B22	WO 97/45559	12/1997	Cornell Research Foundation		
	B23	WO 98/04746	02/1998	Mount Sinai School of Medicine of CUNY		
	B24	WO 98/08092	02/1998	Smith Kline Beecham Corp.		
-	B25	WO 98/29736	07/1998	Genometrix Incorporated		
	B26	WO 98/40726	09/1998	Trustees of Tufts College		
	B27	WO 98/46797	10/1998	Immunological Associates of Denver		
	B28	WO 99/00663	01/1999	California Institute of Technology		
	B29	WO 99/05320	02/1999	Rapigene, Inc.	RECEIVE	E

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Substitute for form 1449A/PTO	Complete if Known			
(Modified)	Application Number	09/344,526		
O INFORMATION DISCLOSURE	Filing Date	June 24, 1999		
STATEMENT BY APPLICANT	First Named Inventor	Chee, M.S.		
SEP 2 9 20:33 🕄	Group Art Unit	1631		
(use as many sheets as necessary)	Examiner Name	Marschel, A.H.		
Sheet 9 of 15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC		

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	B30	WO 99/09394	02/1999	Alexion Pharmaceuticals, Inc.		
	B31	WO 99/28505	06/1999	Curagen Corp.		
	B32	WO 99/34931	07/1999	Cartesian Technology, Inc.		
,	В33	WO 99/39001	08/1999	Amersham Pharmacia Biotech AB		
144	B34	WO 99/53087	10/1999	Europäisches Laboratorium für Molekularbiologie (EMBL)		
	B35	WO 00/26411	05/2000	Lynx Therapeutics		
•	B36	WO 00/34299	06/2000	Biochip Technologies GMBH		
-	B37	WO 00/47767	08/2000	Astrazeneca UK Limited.		
	В38	WO 00/71992	11/2000	Illumina Inc.		
	В39	WO 01/12862	02/2001	Illumina, Inc.		
	B40	WO 01/18524	03/2001	Illumina, Inc.		
	B41	WO 01/41918	06/2001	Illumina, Inc.		
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	B44	WO 01/57269	08/2001	Illumina Inc.		
•	B45	WO 01/59432	08/2001	Illumina Inc.		
	B46	WO 01/61043	08/2001	Illumina Inc.		
	B47	WO 02/00336	01/2002	Illumina Inc.		=1

Date Considered Examiner

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STAREMENT BY APPLICANT	First Named Inventor	Chee, M.S.	
STAREMENT BY APPLICANT	Group Art Unit	1631	
(the as many sheets as necessary)	Examiner Name	Marschel, A.H.	
Sheet 2 10 of 15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC	

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	B49	WO 02/12897	02/2002	Illumina Inc.			
	B50	WO 02/16649	02/2002	Illumina Inc.			
	B51	WO 02/21128	03/2002	Illumina Inc.			
	B52	WO 02/101358	12/2002	Illumina Inc.			
	B53	WO 03/002979	12/2002	Illumina Inc.			
	B54	WO 03/006677	01/2003	Illumina Inc			

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶			
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STATEMENT BY A	PPLICANT	First Named Inventor	Chee, M.S.
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Sheet 1 11 of	. 15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC

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(Modified)	Application Number	09/344,526 FCH 8	2
INFORMATION DISCLOSUR	RE Filing Date	June 24, 1999	T
STATEMENT BY APPLICAN	First Named Inventor	Chee, M.S.	16
%	Group Art Unit	1631	\neg
2 9 2033 (use as many sheets as necessary)	Examiner Name	Marschel, A.H.	
Sheet 12 of 1	Attorney Docket Number	A-66828-2/RMS/DCF/KJC	

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	ŀ
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Examiner	Date
Signature	Considered

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(Modified) THEORMATION DISCLOSURE STATEMENT BY APPLICANT 2 9 203 Suse as many sheets as necessary)	First Named Inventor	Chee, M.S.
	Group Art Unit	1631
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Sheet 13 of 15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC

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Examiner	Date
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Substitute for form 1449A/PTO (Modified)				Complete if Known		
DIPA	, -	,		Application Number	09/344,526	
L ANE	ORMATION			Filing Date	June 24, 1999	
STE	TEMENT B	Y AP	PLICANT	First Named Inventor	Chee, M.S.	
2 9 2033 8	}			Group Art Unit	1631	
1 3	(use as many shee	ts as ne	cessary)	Examiner Name	Marschel, A.H.	
Sheet C	14	of	15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC	

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
xaminer nitials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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			VPTO		Complete if Known
1	· ·	Application Number 09/344,526 Filing Date June 24, 1999 STATEMENT BY APPLICANT First Named Inventor Chee, M.S. Group Art Unit 1631 Examiner Name Marschel, A.H.	09/344,526		
				Filing Date	June 24, 1999
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d	Sheet 15	of	15	Attorney Docket Number	A-66828-2/RMS/DCF/KJC

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· Leli	Sylven	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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